

**COMPREHENSIVE PLAN
AMENDMENT NO. 7**

A BILL TO REPEAL THE *COMPREHENSIVE PLAN, TALBOT COUNTY, MARYLAND*, ADOPTED FEBRUARY 15, 2005, AND ENACT THE *TALBOT COUNTY COMPREHENSIVE PLAN, 2016*, IN ACCORDANCE WITH THE PROVISIONS OF LOCAL GOV'T. ART. § 10-324, LAND USE ART. §1-405, MD. ANN. CODE, AND TALBOT COUNTY CHARTER § 403 (b) AND § 404 (c)

PROPOSED AMENDMENTS TO BILL 1329

This amendment consists of adding a new paragraph on page 3-10 at the end of Section D. *Port Services*, stating that the County will support the efforts of the Town of Easton and Easton Economic Development Corporation to pursue funding opportunities for studies in the Easton Point and Port Street corridor.

Proposed by: Mr. Bartlett, Mr. Callahan, Mr. Pack, Ms. Price, Ms. Williams
Date: June 7, 2016

KEY

UnderliningAdded by amendment
~~Strikethrough~~Deleted by amendment
* * *Existing text unaffected.

Proposed Amendments:

I. To amend *Chapter 3 Transportation and Utilities*, p. 3-10, as set forth below:

* * *

Chapter 3 Transportation and Utilities

* * *

D. Port Services

- 1 Easton Point is a small area of land at the Tred Avon riverside, under County jurisdiction but
- 2 surrounded by the Town of Easton. It is the County's only industrial port, where bulk materials
- 3 are delivered by barge in quantities equivalent to many truckloads each. It is also the site of a
- 4 County public landing, a private marina with boatyards, and related facilities.
- 5 Historically, the County has recommended that the northern and western edges of Easton Point
- 6 should continue to be planned for port-related and marine transportation activities, including
- 7 regular dredging of the Tred Avon River approach channel. It would be an error to lose the
- 8 critical industrial resource of a regional bulk materials landing site in Talbot County. Dredging
- 9 for recreational use is only possible because of ongoing industrial activity at the port. If that

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activity were discontinued, maintaining a navigable channel may, if achieved, become a public expense.

However, this area has obvious redevelopment potential and is identified as a future growth area in the 2010 Easton Comprehensive Plan. The Plan states:

(T)he future of the port is most likely a mixed use project with a strong recreational component to include uses such as an expanded marina, boat ramp, and a waterfront park or open space with less emphasis on truly industrial uses. Higher density (i.e. townhouse or apartment) residential and commercial uses would also seem to be an appropriate part of the mix in any redevelopment plan.

The Town of Easton and the Easton Economic Development Corporation have been developing a small area plan for Easton Point and the Port Street Corridor. The small area plan should take into consideration the impacts of new land use recommendations on existing land uses. It should avoid negative impacts and possible loss of channel dredging activities by the Army Corps of Engineers, and provide timelines for redevelopment activities.

Easton's Redevelopment land use designation for the port area under the County's jurisdiction is inconsistent with the land use designations in this Comprehensive Plan. Addressing consistency with existing land use is a requirement for annexation.

The County will support the efforts of the Town of Easton and the Easton Economic Development Corporation to pursue funding opportunities for the purpose of developing studies to include traffic, economic development and environmental impacts for the Easton Point and Port Street Corridor. The traffic study shall account for vehicular, non-motorized and pedestrian modes of transportation.

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Opinion of Counsel: This amendment is considered non-substantive for purposes of re-advertisement and rescheduling of the public hearing.

Talbot County Charter § 213 d., provides that if a Bill is amended before passage and the amendment constitutes a change of substance, the Bill shall not be passed until it is reproduced as amended and a public hearing re-set and re-advertised as in the case of a newly introduced Bill.

An amendment to a Bill cannot be deemed to make it a new or different Bill unless it enlarges or narrows the scope of the original Bill to such an extent that the Bill as enacted can be said to be *misleading in a substantial manner in its final form*. Amendments that do not defeat the purpose of the original Bill are not considered so substantial as to make it a new Bill. *Ajamian v. Montgomery County*, 99 Md. App. 665, 684-685 (1994). This amendment meets that test and is therefore not a substantive change that would require reproduction and re-advertisement.